

MINUTES OF THE ORDINARY MEETING OF INVERELL SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET, INVERELL ON TUESDAY, 26 FEBRUARY, 2008, COMMENCING AT 1 PM.

PRESENT: Cr B C Johnston (Mayor) [Chairman], Crs D F Baker, D K Barnes, J L Cameron, H N Castledine, P J Harmon, W J Irvine, D C Jones, K L Kneipp, M P Lewis and P H Lloyd.

The General Manager (Paul Henry), Director Corporate Services (Ken Beddie), and Director Planning & Development (Brett McInnes).

APOLOGIES:

The General Manager advised that Cr Mudaliar tendered his apology and sought leave of absence for business reasons. Cr Castledine indicated that he will attend later in the meeting.

01/08 RESOLVED (Barnes/Irvine) that the apology from Cr Mudaliar due to his absence for business reasons be accepted, and that leave of absence be granted.

CONFIRMATION OF MINUTES

02/08 RESOLVED (Kneipp/Irvine) that the Minutes of the Ordinary Meeting of Council held on 18 December, 2007, as circulated to members, be confirmed as a true and correct record of that meeting.

DISCLOSURE OF CONFLICT OF INTERESTS/PECUNIARY AND NON-PECUNIARY INTERESTS

There were no interests declared, however, the disclosures as advised to the Committee Meetings were noted.

PUBLIC FORUM 13.5.4

At this juncture, the time being 1.12 pm, the Mayor welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak:

MHS-A Christine Holding South Inverell 21.8.34

Ms Holding asked whether the parks in South Inverell could be maintained on a more regular basis.

Also can Council take action in respect of the house in South Inverell which was burnt out. It is a danger to the public.

The Mayor noted consent has been given for the demolition of the house.

At this juncture, the time being 1.18 pm, the Public Forum Session closed and Council resumed the balance of the Agenda.

**SECTION C
GENERAL MANAGER'S REPORT**

1. OPERATING LICENCE - INVERELL / SYDNEY AIR ROUTE S30.16.4

03/08 RESOLVED (Cameron/Baker) that matter be referred to Closed Council for consideration as:

- i) *the report includes 'commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it' (Section 10A(2)(d)(i) of the Local Government Act, 1993);*
- ii) *on balance the public interest in preserving the confidentiality of the information outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting; and*
- iii) *all reports and correspondence relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act, 1993.*

GM-A **2. NEWSTEAD HOMESTEAD – FUTURE MANAGEMENT OPTION S15.8.8**

04/08 RESOLVED (Baker/Cameron) that Council advise the Heritage Houses Trust that it is prepared to:

- i) *establish a Section 355 Committee for the purpose of managing ongoing public access to Newstead Homestead for the period of the Memorandum of Understanding; and*
- ii) *Council's finance committee be authorised to finalise the content of a plan of management, including Council's position in respect of financial and secretarial support service issues.*

GM-A **3. INVERELL & DISTRICT LAPIDARY CLUB INC – ACCESS TO TRUSTEESHIP, LOT 4, SECTION 50, DP 758 536, MCILVEEN STREET, INVERELL (CROWN LAND RESERVE) S5.2.2**

05/08 RESOLVED (Irvine/Barnes) that further discussions be held with representatives of the Inverell & District Lapidary Club Inc. regarding tenure of the Crown Land Reserve (Lot 4, Section 50, DP 758 536, McIlveen Street, Inverell).

**SECTION D
CORPORATE SERVICES REPORTS**

ASO-A **1. REQUEST TO TRANSFER LICENCE AGREEMENT 5.10.70**

06/08 RESOLVED (Irvine/Jones) that:

- i) *the licence agreement for land being part public road, eastern boundary of Lot 133, DP 753287, near Fernhill Road, Inverell be transferred from Mr Darrell Hoscher into the name of Mr Grant Hoscher;*
- ii) *the Licence fee continue to be \$39.12, including GST, per annum and be subject to annual CPI increases;*
- iii) *any other terms and conditions set out by the General Manager; and*
- iv) *the licence agreement be completed under the Common Seal of Council.*

ASO-A **2. REQUEST FROM G & C SOUTH TO PURCHASE PART LOT 10, SECTION 6, DP 22620, BUTLER ST, INVERELL S5.2.2**

07/08 RESOLVED (Irvine/Jones) that Council:

- i) *Offer Mr Geoff and Mrs Carol South a Licence Agreement for the small portion of land that forms part of Lots 10 and 11, DP 22620, Butler Street Inverell,*

commencing 01 March, 2008 for the maximum permissible term under the Local Government Act;

- ii) the Licence fee amount of \$30.00 GST inclusive be applied to the Agreement;*
- iii) the Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager; and*
- iv) all relevant documents be completed under the Common Seal of Council.*

3. FINANCIAL STATEMENTS 12.11.1 & 12.20.2

08/08 RESOLVED (Irvine/Jones) *that the Certificate of Reconciliation of the Ledger Accounts with the Bank Statements, be noted and it also be noted that accounts totalling \$4,448,090.95 have been paid.*

4. SALEYARDS STRATEGIC DIRECTION S8.14.1

09/08 RESOLVED (Lloyd/Kneipp) *that the matter be referred to Closed Council for consideration as:*

- i) the report includes 'commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council (Section 10A(2)(d)(ii) of the Local Government Act, 1993);*
- ii) on balance the public interest in preserving the confidentiality of the information outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting; and*
- iii) all reports and correspondence relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act, 1993.*

**SECTION F
PLANNING & DEVELOPMENT REPORTS**

DPD-A **1. COMMONWEALTH FLOOD MITIGATION PROGRAM 18.6.18**

10/08 RESOLVED (Irvine/Baker) *that Council make appropriate representations to local federal member, Mr Tony Windsor MP, in relation to the future of the Commonwealth Flood Mitigation Program.*

**SECTION G
TECHNICAL SERVICES REPORTS**

1. TENDER FOR BRIDGE DESIGN/SUPPLY OF COMPONENTS AND CONSTRUCTION – CAMP CREEK BRIDGE S28.7.13

11/08 RESOLVED (Barnes/Jones) *that:*

- a. Council consider the Supplementary Report; and*
- b. the matter be referred to Closed Council for consideration as:*
 - i) the report includes 'Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c) of the Local Government Act, 1993);*

- ii) *on balance the public interest in preserving the confidentiality of the information outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting, and*
- iii) *all reports and correspondence relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act, 1993.*

**SECTION H
COMMITTEES REPORTS**

1. GWYMAC COMMITTEE ANNUAL GENERAL MEETING MINUTES 11.7.1

12/08 RESOLVED (Lloyd/Barnes) *that the Minutes of the GWYMAC Committee Annual General Meeting held on Friday, 16 November, 2007 be received and noted.*

2. GWYMAC COMMITTEE MEETING MINUTES 11.7.1

13/08 RESOLVED (Lloyd/Barnes) *that the Minutes of the GWYMAC Committee Meeting held on Friday, 16 November, 2007 be received and noted.*

DCS-N
AS-A

3. LIVESTOCK MARKETING ADVISORY COMMITTEE MEETING MINUTES 8.6.2

14/08 RESOLVED (Kneipp/Lloyd) *that the Notes of the Livestock Marketing Advisory Committee Meeting held on Friday, 14 December, 2007 be received and noted.*

ExA-N
AS-A

4. INVERELL LIQUOR CONSULTATIVE COMMITTEE MEETING MINUTES 19.9.1

15/08 RESOLVED (Baker/Harmon) *that the Minutes of the Inverell Liquor Consultative Committee Meeting held on Wednesday, 28 November, 2007 be received and noted.*

ExA-A
AS-A

5. THE INVERELL LIQUOR CONSULTATIVE COMMITTEE MEETING MINUTES 19.9.1

16/08 RESOLVED (Baker/Harmon) *that:*

i) *the Minutes of the Inverell Liquor Consultative Committee Meeting held on Wednesday, 16 January, 2008 be received and noted; and*

ii) *the following recommendation of the Committee be adopted by Council:*

1. LATE NIGHT SALE OF ALCOHOL 19.9.1

A three (3) month trial be conducted wherein the sale of takeaway liquor will be banned after 10pm. The results of this three (3) month trial will be reviewed at the next meeting of the Liquor Consultative Committee Meeting.

DCS-A
AS-A

6. FINANCE/BUDGET COMMITTEE MEETING MINUTES 4.11.2

17/08 RESOLVED (Harmon/Baker) *that:*

i) *the Minutes of the Finance/Budget Committee Meeting held on Wednesday, 13 February, 2008 be received and noted; and*

ii) *the following recommendations of the Finance/Budget Committee be adopted by Council:*

1. ADMINISTRATION CENTRE S5.9.3

A design brief and Concept plans be prepared for the expansion of Council's Administration Centre.

2. BUDGET VARIATIONS AND QUARTERLY BUDGET REVIEW 2007/2008 S12.5.1

- i) *Council's Budget Review for 31 December, 2007 be adopted; and*
- ii) *the proposed variations to budget votes for the 2007/2008 Financial Year be adopted providing an estimated Cash Surplus at 30 June, 2008 from operations of \$1,167.*

3. ALL IS WELL IN INVERELL – REQUEST FOR ASSISTANCE S12.22.1

- i) *a donation of \$500.00 be made to the "All is Well in Inverell" Committee for the purposes of purchasing a suitable street banner as advertising for the event; and*
- ii) *the "All is Well in Inverell" Committee be commended for their community spirit in organising this event.*

DCS-A REQUEST FOR SPONSORSHIP – YOUNG ACHIEVEMENT AUSTRALIA S3.16.13

18/08 RESOLVED *(Irvine/Barnes) that Council advise Young Achievement Australia that Council is unable to accede to their request in this matter, however, Council may consider becoming a shareholder in future programs.*

DPD-A
AS-A 7. PLANNING/COMMUNITY COMMITTEE MEETING MINUTES 4.11.3

19/08 RESOLVED *(Lloyd/Baker) that:*

- i) *the Minutes of the Planning/Community Committee Meeting held on Wednesday, 13 February, 2008 be received and noted; and*
- ii) *the following recommendations of the Planning/Community Committee be adopted by Council:*

1. 2007 NSW YOUTH RIVER HEALTH CONFERENCE INVERELL - FEEDBACK FROM NORTHERN INLAND WASTE (NIRW) S11.15.2

That Council:

- i) *Install butt litter bins throughout the riverside parks, especially in the areas where tables are provided.*
- ii) *Approach nearby supermarkets and encourage them to install coin return trolley systems to encourage customers to return their trolleys, and deter vandals from dumping trolleys into the river.*
- iii) *Increase community education about the environmental impacts of littering, as well as the fines associated with littering including the installation of advisory/warning signage.*
- iv) *Increase the number of rubbish bins and install these in high traffic and visible locations.*

v) *Increase the litter patrols carried out in parks and gardens.*

2. 2007 NSW YOUTH RIVER HEALTH CONFERENCE – INVERELL – FINAL REPORT FROM FIRESTARTER PTY LTD S11.15.2

That Council continue to be involved in the process evident at the NSW Youth River Health Conference for generating environmental awareness within the Inverell Shire.

3. PEOPLE TO PEOPLE INTERNATIONAL – INVERELL INC – SISTER CITY RELATIONSHIP WITH OEHRINGEN, GERMANY 8.4.2

i) *Council approach the City of Oehringen, Germany in regard to formalising a Sister City relationship with Inverell, and*

ii) *Once the arrangement has been formalised that the People to People International Inverell Chapter be invited to follow up the process similar to the relationship which exists with Inverell's other Sister City Tulare, California.*

4. ANNUAL AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA) CONFERENCE 4.3.1

That Council provide the opportunity for up to three (3) delegates to attend the Annual ALGWA Conference.

5. PROMOTION OF CANDIDACY FOR THE 2008 LOCAL GOVERNMENT ELECTION 13.7.4

That Council promote candidacy for the 2008 Local Government Election and conduct seminars for potential candidates.

6. IMPROVING THE NSW PLANNING SYSTEM SUBMISSION S18.6.11

That the subject submission, as prepared by the Director Planning & Development be endorsed.

7. LOCAL GOVERNMENT LEADERS FORUM – PLANNING CHANGES S18.6.11

That Council endorse the three (3) point resolution passed at the Local Government & Shires Association Leaders Forum on the 30 January, 2008 in response to the NSW Government's proposed planning reforms.

8. EMPLOYMENT LAND STRATEGY & PLANNING REFORM FUNDING S18.6.49

i) *the information be received and noted; and*

ii) *staff pursue all avenues to secure support funding in this matter.*

9. DEVELOPMENT APPLICATION NO – 205/2007, ERECT AND USE A BUILDING FOR THE PURPOSE OF A FAMILY DAY CARE CO-ORDINATION CENTRE DA205/2007

That the application be approved subject to the consent expiring within five (5) years if not physically commenced in accordance with Section 83 of the Environmental Planning & Assessment Act 1979 and the following conditions:

1 *Inverell Shire Council issues its consent, subject to conditions stated hereunder, in accordance with Section 80A of the Environmental Planning and Assessment*

Act 1979.

Consent is granted for the erection of a building to be used as a Family Day Care Co ordination centre.

To confirm and clarify the terms of consent, the development shall be carried out in accordance with the plans and accompanying details prepared by John Williams 3D Design, numbered 3266 & 3266a, dated 18.12.07 and 26.01.08.

Any deviation from this will require the consent of Council.

2 The centres hours of operations shall conform to the approved Statement of Environmental Effects submitted with the application. Hours stipulated are as follows:

9.00am – 5.00pm Monday to Friday.

3 The proposed 'playgroup' component of the use shall be restricted to a maximum two (2) hours per day (generally between 9.30 to 11.30am) a maximum of three (3) days per week. No other child care activities are to occur on site.

4 The location of the proposed loading zone is not approved. The loading zone is to be located to the rear of the premises. Prior to the issue of a Construction Certificate Council is to be provided with an amended plan for its approval showing an alternative location for the loading zone.

5 Prior to the issue of a Construction Certificate Council is to be provided with a plan for its approval showing the location of a dedicated area suitable for storage of waste receptacles.

6 Signage and logos on the site are to be strictly limited to that identified on the approved plan. The signs are to be constructed and maintained to a high standard.

7 Prior to the issue of a Construction Certificate a detailed construction plan is to be provided to Council for approval of all vehicle manoeuvring areas and the car park. The plan should identify vehicle turning circles.

8 The proposed access drive and car park is to be bitumen sealed or concreted to the satisfaction of Council.

9 Prior to occupation all landscaping is to be completed in accordance with the stamped, approved landscaping plan.

10 **Prior to Construction**

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out, such sign is to be maintained while the work is being carried out, but must be removed when the work has been completed. The sign must include the following:

- showing the name, address and telephone number of the principal certifying authority for the work, and
- showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working

- hours, and
stating that unauthorised entry to the work site is prohibited.

11 Access and facilities are to be provided for the disabled in accordance with the requirements of the Building Code of Australia. Detailed plans shall be submitted to the Principal Certifying Authority with the application for a Construction Certificate, plans should detail levels, ramp slopes, door widths, circulation spaces.

Reason: to ensure that appropriate access and facilities are provided for the disabled.

12 Separate details or a Certificate of Structural Adequacy prepared by a practising Structural Engineer, for the following work shall be lodged with Council (in the case of being the Principal Certifying Authority) and accepted for construction prior to commencing the relevant work:-

- a) Reinforced concrete footings and floor slab

Note: The name, address and qualifications of the practising Structural Engineer certifying the design is to be clearly indicated on the plans and any accompanying documentation. The design shall relate to the particular site. (Pursuant to Clauses A2.2 (Class 2-9) of the Building Code of Australia).

13 Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one (1) toilet for every twenty (20) persons or part of twenty (20) persons employed at the site. Each toilet provided;

- a) Must be a standard flushing toilet, and
- b) Must be connected :
 - I. To a public sewer, or
 - II. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
 - III. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.

The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced. (Pursuant to Clause 78I of the Environmental Planning and Assessment Regulation 2000 and Australian Standard AS3500)

14 Prior to the commencement of any building works on the site a Construction Certificate is to be obtained from Council or an Accredited Certifier. The application for Construction Certificate shall include plans and specifications demonstrating full compliance with the Building Code of Australia and associated standards. In the case of Council being the Principal Certifying Authority, the following specific information is to be provided with the Construction Certificate application:

- a) Certification from a qualified person that the building when completed will comply with the energy efficiency requirements of section J of the Building Code of Australia.
- b) Details of the water closet pans and hand wash basins to be provided in the Playgroup Room.
- c) Details of the proposed roof and surface water drainage including surface pit locations, pipes sizes and down pipe locations. Please note that Council will allow drainage to terminate in the stormwater gully at the premises via a sealed stormwater drain.

- d) *Details of all proposed sediment and erosion control of the building site. Please note that the controls are to be in accordance with Inverell Shire Council's 'Erosion and Sediment Control Policy'.*
- e) *Site plan to scale detailing finished floor levels, any cut and fill including cut depths and fill heights, methods of soil erosion retention if required, land contours with appropriate levels all related to a permanent mark (e.g. top of kerbs in town, marker peg in rural).*

15 **During Construction**

*Conditions relating to critical stage inspections;
Council, in the case of being the Principal Certifying Authority, is to be given 24 hours notice of the following critical stage inspections where applicable;*

- a) *at the commencement of the building work, and*
- b) *after excavation for, and prior to the placement of, any footings, and*
- c) *prior to pouring any in-situ reinforced concrete building element, and*
- d) *prior to covering of the framework for any floor, wall, roof or other building element, and*
- e) *prior to covering waterproofing in any wet areas, and*
- f) *prior to covering any stormwater drainage connections, and*
- g) *after the building work has been completed and prior to any occupation certificate being issued in relation to the building.*

16 *Forty eight (48) hours notice is to be given to Council for inspection of:-*

- a) *Internal Drainage - prior to floor slab being formed.*
- b) *External Drainage - prior to trenches being filled.*

17 *All fill material is to be suitably retained within the allotment and all cut and fill is to be graded and drained to Council's satisfaction. (In accordance with Part B1 (Class 2-9) of the Building Code of Australia.)*

18 *In accordance with Clause F2.5 (Class 2-9) of the BCA, the door to a fully enclosed sanitary compartment must:-*

- a) *open outwards, or*
- b) *slide, or*
- c) *be readily removable from the outside of the compartment, unless there is a clear space of at least 1.2m between the closet pan within and the nearest part of the doorway.*

19 *Food handling skills and procedures and the food premises are to be maintained to ensure compliance with the requirements of Food Safety Standards 3.1.1 (Interpretation and Application), 3.2.1 (Food Safety Programs), 3.2.2 (Food Safety Practices and General Requirements) and 3.2.3 (Food Premises and Equipment).*

20 *To ensure the safety of persons in the building in the event of fire, the essential fire or other safety measures included in the submitted schedules are to be implemented and/or maintained. (Pursuant to Clause 80GF of the Environmental Planning and Assessment Regulation 2000, and the Building Code of Australia.)*

21 *Plumbing and drainage shall be carried out in accordance with the provisions of the NSW Code of Practice and Australian Standard AS 3500.*

22 *To comply with AS 3500.3.1, inspection openings are to be provided on the*

stormwater drainage line and finished at surface ground level at:

- a) Each point of connection.
- b) At intervals not exceeding 30m apart.
- c) A any change in direction greater than 43 degrees.

23 In accordance with Part F1.1 of Volume 1 of Building Code of Australia, downpipe flow capacities are to be in accordance with AS/NZS 3500.3.2.

24 **Prior to Occupation**

In the case of Council being appointed the Principal Certifying Authority the following compliance certificates are to be provided to Council prior to occupation of the building;

- a) Manufacturers Certification and details of roof trusses and wall framing
- b) Wet area Certification, including shower compartments certifying compliance with the Building Code of Australia and AS 3740
- c) Manufacturers certification that all glazed assemblies are in accordance with AS 1288 & AS 2047
- d) Electrical works completion certification.

25 The building shall not be used or occupied prior to the issue of an Occupation Certificate. (Pursuant to Section 109M, of the Environmental Planning and Assessment Act 1979.)

26 In the case of Council being appointed the Principal Certifying Authority the manufacturer's details of roof trusses and wall framing are to be submitted to Council prior to inspection, alternatively, an Engineer's Certificate of adequacy is to be provided at the frame inspection. (Pursuant to Clauses A2.2 (Class 2-9 of the Building Code of Australia.)

27 To ensure compliance with Clause 4 of the Food standard 3.2.2, prior to the commencement of any food handling operations, details of the food premises are to be provided to the appropriate enforcement agency and a copy of the recorded notification submitted to Council. Notification can be completed either on the internet at www.foodnotify.nsw.gov.au free of cost or by contacting the Department of Health (application fee applicable).

28 On completion of the proposed building work, or prior to the change of use, the owner of the building is to provide Council with a fire safety certificate (in the form attached) with respect to each fire or other safety measures installed in the building. The owner of the building shall provide Council with an annual fire safety certificate with respect to each fire safety measure installed in the building, at least once in each twelve (12) months thereafter. (Pursuant to Clause 80A of the Environmental Planning and Assessment Regulation 2000, Clause I 1.1 (Class 2-9) of the Building Code of Australia.)

29 A copy of the fire safety certificate is to be given to the Commissioner of New South Wales Fire Brigades and a further copy is to be prominently displayed in the building. (Pursuant to Clause 80E of the Environmental Planning and Assessment Regulation 2000.)

30 The plumber is to provide Council, prior to backfilling external drainage, a plan of sewer drainage to a standard acceptable to Council.

10. DEVELOPMENT APPLICATION NO. 7/2008 – ONE (1) INTO FOUR(4)
ALLOTMENT SUBDIVISION DA 7/2008

That Development Application 7/2008 be approved subject to the following conditions:

1. **Preliminary**

Inverell Shire Council issues its consent, subject to conditions stated hereunder, in accordance with Section 80A of the Environmental Planning and Assessment Act 1979.

Consent is granted for a one (1) into lot (4) lot subdivision.

To confirm and clarify the terms of consent, the development shall be carried out in accordance with the approved plan prepared by Steve McCosker (Surveys), numbered A4/07/1361S-1.1, dated 2 January 2008.

Any deviation from this will require the consent of Council.

2. *No native vegetation is to be removed from any of the four (4) allotments without the prior approval of Council.*

3. **Prior to Subdivision Certificate**

A Section 94 Community Services Contribution of \$100.00 is to be paid to Council for each new allotment created.

4. *A Section 94 General Rural Roads Contribution of \$1,770.00 plus CPI is to be paid to Council for each new allotment created. This contribution will be linked to the CPI rate and will increase every financial quarter.*

5. *A Section 94 of \$6,007.50 plus CPI is to be paid to Council for each new allotment created. This is to go towards the upgrade of Orchard Place. This contribution will be linked to the CPI rate and will increase every financial quarter.*

6. *A Rural Addressing Fee of \$30.00 is to be paid to Council for each allotment.*

7. *Water is to be connected to each allotment at the applicant's expense. The connection cost will be by quotation from Council's Technical Services Department and not the standard connection fee.*

8. *A water contribution of \$9,330.00 is to be paid to Council for each allotment. This is to go towards water recoupment of past costs. This is as per Development Servicing Plan No. 1.*

9. *Orchard Place is to be half width constructed fronting the subdivision. This will require a 3.2 metre bitumen seal on 5.6 metre wide gravel pavement. This work is to have an engineering survey and design to be approved by Council. All works are to be completed to Council's satisfaction, at the applicant's expense.*

10. *The Right of Carriageway is to be provided with a 5 metre wide bitumen seal on 6 metre wide gravel pavement with a, 300mm consolidated depth. It shall be located along the centre of the reciprocal Right of carriageway. This work is to have an engineering survey and design to be approved by Council. All works are to be completed to Council's satisfaction, at the applicant's expense.*

11. *The accesses to Lots 1 and 2 are to be bitumen sealed and be located in a position approved by Council. All works are to be completed to Council's satisfaction, at the applicant's expense.*
12. *To ensure adequate utility services are provided to all lots in the subdivision, the applicant is to provide the following to Council:*
 - i. *A letter from Country Energy stating that satisfactory arrangements have been made for the provision of electricity supply to each allotment.*
 - ii. *A letter from an approved telecommunications provider stating that satisfactory arrangements have been made for the provision of telecommunications to each allotment.*
13. *A Restriction as to User under Section 88b of the Conveyancing Act is to clearly state:*
 - i. *That the sinking of bore is not permissible on any allotments in the subdivision.*
 - ii. *Any dwelling erected on a parcel of land within the subdivision is to be serviced by an aerated waste treatment system or equivalent approved by the Department of Health.*
14. *A plan of potential building envelope locations for allotments one (1) and four (4) are to be submitted to Council for approval prior to the release of a subdivision certificate.*
15. **On Completion of Development**

A plan of subdivision and four (4) copies is to be submitted to Council along with a Subdivision Certificate Application and accompanying application fee.
16. *Prior to Council endorsing the Subdivision Certificate, the use of the land as an aircraft landing area is to be formally surrendered/decommission to the satisfaction of Council. To do this the following must occur:*
 - I. *The air strip is to be ripped/deformed its entire length,*
 - II. *Unserviceable crosses are to be located at either end of the air strip*
 - III. *All air strip paraphernalia (i.e. wind socks, runway markers, lighting) is to be removed,*
 - IV. *The applicant is to notify the 'Airport Owners of Australia' that the air strip is decommissioned. An advertisement is to also be placed in the Airport Owners of Australia publication (AOPA) stating the air strip is no longer in use.*
17. *Any other condition deemed appropriate by the Director of Planning and Development.*
18. *Any other condition deemed appropriate by the Director of Technical Services in respect of road matters.*

EXPRO-A **SMOKE FREE OUTDOOR AREAS 24.5.3**

20/08 RESOLVED (Lloyd/Barnes) *that no action be taken in this matter at this time, however that Council seek Public comment by way of advertising for the matter to be reconsidered at a meeting in three (3) months time.*

DTS-A
AS-A

8. WORKS/SERVICES COMMITTEE MEETING MINUTES 4.11.4

21/08 RESOLVED (Cameron/Barnes) that:

- i) *the Minutes of the Works/Services Committee Meeting held on Wednesday, 13 February, 2008 be received and noted; and*
- ii) *the following recommendations of the Works/Services Committee be adopted by Council:*

1. INFRASTRUCTURE TOUR 28.9.12

That a suitable Infrastructure Tour be arranged for members of the Works/Services Committee.

2. LOCAL WATER UTILITY INQUIRY S32.23.1

That:

- i) *the Committee determine the membership of the working party to prepare a response to the Ministerial Review of Water and Sewerage Services;*
- ii) *Council accept in principle the concern of the United Services Union (USU) and the possible impact on staff and staffing levels; and*
- iii) *Council agree to meet with selected members of the USU at Working Party Level, to further discuss this issue and this meeting be coordinated by the General Manager.*

3. LOCAL WATER UTILITY INQUIRY S32.23.1

That the Working Party be the Mayor, Cr Lloyd, Cr Baker, Cr Cameron, the General Manager and Staff as appointed by the General Manager.

4. BRIDGE ACROSS OTTLEY CREEK ON NORTH STAR ROAD 28.9.6

That Council allocate up to \$200,000 from the 2008/09 ACRD Program for the replacement of Ottley Creek Bridge (on North Star Road) in the 2008/09 financial year, subject to 50/50 cost agreement with Gwydir Shire Council, and the concurrence of the Finance Committee.

5. INVERELL LOCAL FLOODING 5.20.1

- i) *Council undertake to carry out a stormwater design for Brissett Street incorporating a piped stormwater system along Brissett Street and ultimately, the kerbing and guttering and bitumen sealing to a standard width for Brissett Street;*
- ii) *the Finance Committee consider making funding available in the 2008/09 Urban Works and Stormwater Management budgets to allow for the commencement of the stormwater system to be implemented in Brissett Street - the further works that would be required would be the completion of the stormwater system, the kerbing and guttering and eventually the bitumen sealing to be undertaken as part of a staged development; and*
- iii) *the Brissett Street Design provide for 1:100 year storm capacity.*

6. RTA REGIONAL ROAD TIMBER BRIDGE REPLACEMENT PROGRAM 28.9.1

- i) Council correspond with the Local Member Mr Richard Torbay, thanking him for his assistance in obtaining the grant for the finalisation of the bridge structures on the Regional Road system; and
- ii) a letter of thanks be forwarded to the RTA for the funding for the Sawpit Gully Bridge in 2008/09.

7. YOUNG DRIVER SAFETY AND EDUCATION PROGRAM S28.19.4

- i) Council participate in this program and assist the Parliamentary Joint Standing Committee on Road Safety with their inquiry into young driver safety and education programs;
- ii) Council become involved in the road safety program promoting young driver safety on a local level by participating with local schools and assisting to send students to the yearly young driver training program conducted in Tamworth at the Track Centre; and
- iii) investigations to be carried out in respect of the possible future establishment of a young driver training track in Inverell.

8. SHORT STREET EXTENSION 28.10.IN 187

That Council resolve to include Short Street in its list of works to be carried out in the future budgets and that Mr and Mrs Gray be advised accordingly.

9. RTA – ROAD MAINTENANCE COUNCIL CONTRACT S1.2.1

- i) Council continue to discuss the Road Maintenance Council Contract arrangement with the RTA including the individual price items in order to ensure that the contract arrangement negotiated for Inverell Shire Council is fair and equitable.
- ii) the RTA be advised that Council has a willingness to work closely with the RTA in this and a wide range of other RTA contract activities in the region.

10. TR63 AUSLINK APPLICATION 28.10.TR63

That Council pursue a Joint Auslink Submission on the stated roads.

11. ARTIFICIAL TURF HOCKEY FIELD S5.11.48

- i) the information be received and noted;
- ii) actions be taken to salvage and store in a suitable location all salvageable material; and
- iii) actions be taken as part of the development to maximise parking including relocating the security fencing.

12. HOSPITAL GROUNDS 24.20.6

That Council make a submission in conjunction with the Chamber of Commerce to the NSW Health Inquiry in respect of the state of Health Services in Inverell.

DCS-N 9. LIVESTOCK MARKETING ADVISORY COMMITTEE MEETING MINUTES
AS-A 8.6.2

22/08 RESOLVED (Kneipp/Lloyd) that the Minutes of the Livestock Marketing Advisory Committee Meeting held on Friday, 15 February, 2008 be received and noted.

MW-A 10. TRAFFIC DEVELOPMENT COMMITTEE MEETING MINUTES S30.08.1
AS-A

23/08 RESOLVED (Jones/Baker) that:

- i) the Minutes of the Traffic/Development Committee Meeting held on Monday, 11 February, 2008 be received and noted; and
- ii) the following recommendations of the Traffic/Development Committee be adopted by Council:

1. CONSTRUCTION OF A FAMILY DAY CARE CO-ORDINATION CENTRE, BREWERY STREET DA 205/2007

The Traffic Advisory Committee indicates to Council it raises no objection to Development Application 205/2007 for a Family Day Care Co-ordination Centre, subject to the following conditions being included in any subsequent consent issued:

- i) A detailed, scaled and fully dimension plan of the onsite car parking is to be submitted to Council for approval. The car park is to be concreted or bitumen sealed. It is to be designed and maintained in accordance with (AS 2890.1: 2004 – Parking Facilities – Off-street car parking) and to the satisfaction of Council.
- ii) The car parking plan to be provided to Council is to indicate the proposed loading zone in a suitable alternative location at the rear of the property.

2. 100KPH SPEED ZONE ON TINGHA ROAD 28.10.IN 198

That the speed signs adjacent to Pioneer Village, on Tingha Road remain in their current location.

3. FLOW OF TRAFFIC ALONG JACKS LANE 28.10.IN 116

That a letter be sent to all residents who have access to Jacks Lane requesting that they consider the following alternative treatments for the laneway which will reduce traffic conflicts at the ninety degree corner:

- i) One way travel movements from Bannockburn Road through to Gilchrist Street.
- ii) Placement of a stainless steel polished convex mirror on the outside of the corner. Also, that submissions will be received up until Monday, 25 February 2008.

4. B-DOUBLE USE OF KILLEAN STREET S28.15.3

That the section of Killean Street from Swanbrook Road to Brissett Street be included in the traffic study for B-Double usage.

5. MELIA CLOSE, GILGAI 28.10.SR 269

That the existing conditions on Melia Close remain unchanged. Also, that the residents

who made submissions be advised that one extra residential block doesn't warrant changes in signage or speed limit.

6. CHANGE IN SPEED LIMIT ALONG GUYRA ROAD 28.10.MR 135

That the speed limit remain at 100km/h through the rural residential area of Guyra Road from the intersection with Bundarra Road through to the airport.

7. INVERELL CYCLE 'N' TRI CLUB CYCLING EVENT 28.27.1

That Council grant permission for the Inverell Cycling 'n' Tri Club criterion to take place in Inverell on 8/3/08 subject to Police approval.

8. COVERING OF LOADS ON GRAVEL TRUCKS 30.9.6

That advice be sought from the Police on enforcement, involving loss of gravel from the back of travelling trucks that have not covered their loads.

DTS-A **CBD ROUNDABOUTS 30.9.9**

24/08 RESOLVED (Cameron/Harmon) that Council seek advice on the constraint ruling in the original decision on public consultation (following the high court ruling on the pedestrian crossing outside Payne's Dry Cleaners) and if appropriate, make a submission to the RTA on congestion caused by this crossing.

DTS-A **TRUCK TURNING MOVEMENTS FROM SH12 ONTO COPETON DAM ROAD 28.10.SH 12 & S28.10.SR 192**

25/08 RESOLVED (Lloyd/Jones) that construction works be undertaken on this intersection to continue the splay on the entrance to Copeton Dam Road (from the highway) to allow for an acceleration lane and also wider swinging movements by long vehicles. Also, that Council apply to the RTA for half the amount of the works, and that this project be included in the 2008/09 works program.

**SUPPLEMENTARY SECTION H
COMMITTEES REPORTS**

26/08 RESOLVED (Barnes/Irvine) that the Supplementary Section H report to Council titled "Growing Inverell Program Committee Meeting Minutes" be considered.

DCS-A AS-A 11. **THE GROWING INVERELL PROGRAM COMMITTEE MEETING MINUTES S8.10.3**

27/08 RESOLVED (Harmon/Baker) that:

i) the Minutes of the Growing Inverell Program Committee Meeting held on Wednesday, 20 February, 2008 be received and noted; and

ii) the following recommendations of the Growing Inverell Program Committee be adopted by Council:

1. **GROWING INVERELL PROGRAM 8.10.3**

i) the information be received and noted;

ii) the Inverell On Display and Inverell Career and Employment Initiatives Committees be reformed and funding applications be submitted in this matter; and

- iii) *the Business Program Co-ordinator's position be changed to that of Business and Marketing Co-ordinator and the General Manager be authorised to increase the position to a full-time position by the addition of complementary duties, noting Council's cultural and social functions.*

**SECTION I
INFORMATION REPORTS**

1. QUESTIONS WITHOUT NOTICE & PUBLIC FORUM 13.5.5
2. COUNCIL OPERATIONS – ACTION CHECKLIST 13.5.1
3. MANAGEMENT TEAM MINUTES 4.11.5
4. NORTHERN INLAND REGIONAL DEVELOPMENT BOARD - ANNUAL REPORT 8.6.3
5. HN MCLEAN MEMORIAL RETIREMENT VILLAGE ANNUAL REPORT 2007 – STATEMENTS OF ACCOUNT 3.15.9
6. ANNUAL LEAVE S22.13.2
7. STAFF MOVEMENTS: 1 OCTOBER 2007 TO 31 DECEMBER 2007 22.25.1
8. CONSTRUCTION CERTIFICATES APPROVED BY COUNCIL FOR DECEMBER, 2007 7.2.4
9. CONSTRUCTION CERTIFICATES APPROVED BY PRIVATE CERTIFIER FOR DECEMBER, 2007 7.2.4
10. COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING DECEMBER, 2007 7.2.4
11. COMPLYING DEVELOPMENT CERTIFICATES APPROVED BY PRIVATE CERTIFIER FOR DECEMBER, 2007 7.2.4
12. DEVELOPMENT CONSENTS AND REFUSALS DURING DECEMBER, 2007 18.10.2
13. SEPTIC TANK APPROVALS FOR DECEMBER, 2007 24.9.1
14. PLANNING & DEVELOPMENT ACTIVITIES REPORT FOR DECEMBER, 2007 18.10.1
15. COMPLIANCE ACTIVITIES REPORT FOR DECEMBER, 2007 19.8.1
16. CORRESPONDENCE RECEIVED - BORDER RIVERS-GWYDIR CATCHMENT MANAGEMENT AUTHORITY - DESEXING OF CATS S11.1.1
17. CONSTRUCTION CERTIFICATES APPROVED BY COUNCIL FOR JANUARY, 2008 7.2.4
18. CONSTRUCTION CERTIFICATES APPROVED BY PRIVATE CERTIFIER FOR JANUARY, 2008 7.2.4
19. COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING JANUARY, 2008 7.2.4

20. COMPLYING DEVELOPMENT CERTIFICATES APPROVED BY PRIVATE CERTIFIER FOR JANUARY, 2008 7.2.4
21. DEVELOPMENT CONSENTS AND REFUSALS DURING JANUARY, 2008 18.10.2
22. SEPTIC TANK APPROVALS FOR JANUARY, 2008 24.9.1
23. PLANNING & DEVELOPMENT ACTIVITIES REPORT FOR JANUARY, 2008 18.10.1
24. COMPLIANCE ACTIVITIES REPORT FOR JANUARY, 2008 19.8.1
25. PARKS AND RESERVES 21.8.1
26. GRAVEL RESHEETING ON SHIRE ROADS 28.21.1 & 15.8.19
27. MAINTENANCE PROGRAMS 28.21.1
28. MINISTERS AWARDS FOR WOMEN IN LOCAL GOVERNMENT 4.2.1
29. FINANCIAL STATEMENTS 12.11.4 & 12.12.2
30. STAFF MATTERS 4399

28/08 RESOLVED (Lloyd/Irvine) that the items contained in the Information Reports to the Ordinary Meeting of Council held on Tuesday, 26 February, 2008 be received and noted.

SUPPLEMENTARY SECTION I INFORMATION REPORTS

29/08 RESOLVED (Irvine/Baker) that the Supplementary Section I report to Council titled "Mayor's Drug Advisory Committee" be considered.

CIO-N
AS-A

31. MAYOR'S DRUG ADVISORY COMMITTEE 24.10.1

30/08 RESOLVED (Irvine/Baker) that the information be received and noted.

SECTION J QUESTIONS WITHOUT NOTICE

DTS-A

- QWN/ORD 01/08** Stock Trucks 30.9.6
Cr Cameron

Noted that complaints have been received from residents of Warialda Road, in respect of effluent escaping from stock trucks.

Can Council receive an update on this matter?

GM-A

- QWN/ORD 02/08** Business Papers 4.5.1
Cr Cameron

Can acronyms be removed from Council's Business Paper.

- GM-A **QWN/ORD 03/08** High Definition TV Reception and Radio Service S10.12.2
Cr Cameron
- Noted industry progress in this matter and that NBN high definition will not be available for up to twelve (12) months.
- Can staff pursue this matter?
- Also noted difficulties with ABC Radio. When will the upgrade activities be completed.
- The General Manager appraised Council in this matter.
- GM-A **QWN/ORD 04/08** Yetman Works S3.16.18
Cr Kneipp
- Noted the 2007 Yetman Public Meeting and issues raised. Can the General Manager follow up a number of outstanding issues.
- DTS-A **QWN/ORD 05/08** Ashford Water Supply 32.13.1
Cr Lewis
- Can the Director Technical Services provide Council with an update of progress with the fluoridation issue?
- QWN/ORD 06/08** Electricity Supply
Cr Lewis
- Noted that Ashford residents are experiencing continual power fluctuations.
- DPD-A **QWN/ORD 07/08** Ashford Rubbish Tip 31.8.2
Cr Lewis
- Noted the current proposal to fence the Ashford Tip. Can additional consideration be given to this proposal as it appears the community does not support the proposal?
- DPD-A **QWN/ORD 08/08** Inverell Station Windmill Heritage 26.4.4
Cr Barnes
- Noted this landmark has not yet been repaired. Can this matter be pursued.
- At this juncture, the time being 3.22 pm Cr Castledine and the Director Technical Services arrived.
- GM-A **QWN/ORD 09/08** Genetically Modified Crops 8.3.2
Cr Barnes
- Noted recent media reports in respect of this matter. Can Council seek support from the Member Northern Tablelands, Hon Richard Torbay to approach the Minister of Agriculture to seek the reinstigation of the moratorium in this matter?
- GM-N **QWN/ORD 10/08** Cricket Wickets
Cr Irvine
- Noted the proposal in this matter and the land involved. Can the General Manager appraise Council of the progress in this matter.
- The General Manager provided Council of progress in this matter.

- iii. Council should be kept apprised of the Museum Committee's efforts to attract grant fundraising for the construction of an expanded facility to house the existing collection.

GM-A **QWN/ORD 15/08** Water and Sewer Inquiry **S32.15.7**
Mayor

The Mayor noted the New England Local Government meeting in respect of this issue and the need to prepare a submission to the inquiry.

QWN/ORD 16/08 Local Policing
Mayor

Noted the current actions being undertaken in respect of local policing and a recent incident where community support was not forthcoming. This will be a matter for discussion on "talkback" radio.

SECTION K
CONFIDENTIAL REPORTS IN CLOSED COUNCIL
(SECTION 10A(2) OF THE LOCAL GOVERNMENT ACT 1993)

At 6:04 pm, the Chairman offered the opportunity to members of the public to make representations as to whether any part of the Council Meeting should not be considered in Closed Council. There was no response.

CLOSED COUNCIL REPORTS

32/08 RESOLVED (Jones/Baker) that Council proceed into Closed Council to discuss the matters referred to it, for the reasons stated in the motions of referral.

Upon resuming Open Council at 6.52 pm, the Chair verbally reported that the Council had met in Closed Council, with the Press and Public excluded, and had resolved to recommend to Council the following:

GM-A **1. OPERATING LICENCE - INVERELL / SYDNEY AIR ROUTE** **S30.16.4**

That the Department of Transport be advised that Council supports the granting of a Licence to Aeropelican Air Services Pty Ltd to operate the Inverell – Sydney air route for a period of five (5) years, commencing 1 April, 2008.

DCS-A **2. SALEYARDS STRATEGIC DIRECTION** **S8.14.1**

That the Mayor and General Manager be authorised to obtain appropriate advice on the issues determined by Council in respect of the Exclusivity Agreements at the Inverell Regional Saleyards.

DTS-A **3. TENDER FOR BRIDGE DESIGN/SUPPLY OF COMPONENTS AND CONSTRUCTION – CAMP CREEK BRIDGE** **S28.7.13**

That:

- i. *The tender price of \$418,888 + GST submitted by Kay Associates to design, supply materials and construct the Camp Creek Bridge be accepted by Council; and*
- ii. *The tender be completed under the Common Seal of Council.*

ADOPTION OF RECOMMENDATIONS

33/08 RESOLVED *(Lloyd/Harmon) that the recommendations of Closed Council be adopted.*

There being no further business, the meeting closed at 6.56 pm.

CR B C JOHNSTON

CHAIRMAN